

**[NTC MEMORANDUM CIRCULAR NO. 04-10-2013,
October 16, 2013]**

**IMPLEMENTING RULES AND REGULATIONS ON REPUBLIC ACT
10515 OR THE ANTI-CABLE TELEVISION AND CABLE INTERNET
TAPPING ACT OF 2013**

Pursuant to Section 7 of Republic Act No. 10515 and in line with the provisions of Executive Order Nos. 546 and 205, Act 3846 (Radio Control Law) as amended, Act 146 (Public Service Act) as amended, the National Telecommunications Commission hereby adopts and promulgates the following Rules and Regulations to implement the aforesaid law.

**Article I
General Provisions**

SECTION 1. Title – These Rules shall be known as the Implementing Rules and Regulations of the “Anti-Cable Television and Cable Internet Tapping Act of 2013”.

SEC. 2. Construction – These Rules shall be liberally construed to attain the efficient and effective implementation of R.A. 10515.

SEC. 3. Definition of Terms – As used in these Rules:

- (a) “**NTC**” means the National Telecommunications Commission;
- (b) “**Cable Television (CATV) Service**” – refers to the transmission or delivery of video and audio signals and programming for a fee through fiber optics, coaxial cable, and other technological means which shall include, but not limited to, transmission via wired or wireless means, including microwave, radio signal or frequencies, for purposes of providing multiple channel CATV service. The term shall also include electronic equipment such as digital or analog receiver-decoder boxes, set-top and converter boxes as well as, but not limited to, master antenna television, satellite master antenna television, direct broadcast satellite/direct to home, multi-point distribution service, a television receive-only satellite program distributor and other providers of video and audio programming, whatever the technology;
- (c) “**Cable Internet Service**” – refers to the transmission or delivery of electronic signals to provide and facilitate access to the world wide web for a fee through a Cable Internet System or Network;
- (d) “**CATV System/Network**” – refers to a facility engaged in the transmission or delivery of video and audio signals and programming for a fee through fiber optics, coaxial cable, and other technological means;
- (e) “**Cable Internet System/Network**” – refers to a facility engaged in the transmission or delivery of electronic signals to provide and facilitate access to the world wide web for a fee through a transmission or delivery system/ network;

- (f) "**CATV Service Provider**" – refers to any person, natural or juridical, public or private, which was granted a Certificate of Authority or Provisional Authority as provided under existing laws, rules and regulations, to install, operate and maintain a CATV System/Network and is actually providing CATV Service to its subscribers.
- (g) "**Cable Internet Service Provider**" – refers to any person, natural or juridical, public or private, which was issued a registration certificate as provided under existing laws, rules and regulations, to provide and facilitate access to the world wide web, for a fee, through a Cable Internet system/ network and is actually providing cable Internet service to its subscribers.

Article II

Declaration of Policy

SECTION 1. Declaration of Public Policy – The State recognizes the indispensable role of the private sector in the national economy, encourages the proliferation of private enterprise, and provides incentives to needed investments.

SEC. 2. Protection of the CATV and Cable Internet Industries – It shall be the policy of the State to protect the general public and legitimate operators of CATV and Cable Internet services from unauthorized connections or tapping to existing facilities through wired, wireless, electromagnetic and other means of cable pilferage.

Article III

Unauthorized Interception, Reception, or Use of Any Signal or Service Over a Cable Television System or Cable Internet System and/or Network

SECTION 1. Prohibited Acts – It shall be unlawful for any person, natural or juridical, public or private to:

- (a) intercept or receive, or assist in intercepting or receiving, any signal or service offered over a CATV or Cable Internet System by tapping, making, or causing to be made, any connection to an existing CATV or Cable Internet System/network, without the authority of the concerned CATV or Cable Internet Service provider;
- (b) record, reproduce, distribute, import, or sell any intercepted or received CATV cable Internet system/network signals without the authority of the concerned CATV or Cable Internet Service provider;
- (c) use or receive any direct or indirect benefit from any CATV or cable Internet system/network with knowledge that it is a result of any of the preceding prohibited acts; or
- (d) wantonly, maliciously, or willfully damage, destroy, or remove CATV or cable internet facilities and accessories of authorized CATV or Cable Internet Service providers.

SEC. 2. Prima Face Evidence of Illegal Tapping, Interconnection or Reception – The presence of any of the following circumstances shall constitute prima fade evidence of illegal tapping, interconnection or reception into the. CATV or cable internet system/network, by the person benefited thereby:

- (1) *For Non-Subscribers* – the presence of cable, wires, connectors and pins, devices and equipment designed to intercept and receive CATV or